UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF WISCONSIN

In Re:)	
JAMES MIICKE)	Chapter 13
)	Case No. 20-26261-BEH
)	
Debtor)	

AFFIDAVIT

James Miicke, Debtor in the above referenced case, being first duly sworn on oath deposes and says that he motioned the court to continue the Automatic Stay as to all creditors. In support of such motion, Debtor makes the following declarations under penalty of perjury:

- 1. Debtor filed this Chapter 13 Bankruptcy Petition on September 16th, 2020
- 2. Debtor had a previous Chapter 13 pending within the last year under Case Number: 17-23177-kmp.
- 3. The previous Chapter 13 Case was dismissed for failure to make plan payments and failure to provide the Trustee with copies of 2019 income tax returns.
- 4. Debtor started experiencing financial trouble in March 2020. Due to the COVID-19 Pandemic, many of debtor's tenants ceased payments on their rent. As a result, Debtor's cash flows declined significantly, and he could not afford to maintain his large plan payments to the Trustee.
- 5. Additionally, Debtor's previous plan provided to pay a substantial sum of proceeds from the sale of several of his properties. Again, COVID-19 caused significant delays in finding a buyer as many investors were weary of making such a large purchase during this time of uncertainty. As a result, Debtor was unable to close a deal on the properties as quickly as intended.
- 6. Lastly Debtors primary source of income is generated from Action Electric, a company that contracts with fast food chains. During the pandemic and subsequent shutdown, business slowed significantly.

Prepared By: Attorney Richard A. Check, Esq. 757 N. Broadway, Suite 401 Milwaukee, WI 53202 Phone: 414-23-0000 Fax: 414-223-3245 E-mail:rickchecklaw@aol.com

- 7. Debtor asserts that his circumstances have changed and that the present case was filed in good faith
- 8. NOW, Debtor has found a committed and legitimate buyer for several of his real estate properties and expects to use the funds to pay his plan a substantial sum.
- 9. The financial troubles Debtor was experiencing during the beginning of the pandemic have since improved. He is generating normal levels of income from his Action Electric business as fast-food chains begin to resume regular business. He also seeing increased cash flows from tenants resuming their timely rent payments.
- 10. Debtor has now completed his 2019 income tax returns and provided copies to his attorney.
- 11. Debtor seeks to have the automatic stay continued as to all scheduled creditors. Specifically, Debtor needs the automatic stay continued in order to save his real estate from foreclosure as the subject properties and rents received from them are his livelihood and a substantial source of income.

James Milcke Date

9-22-20

Subscribed and sworn to before me

This _

Notary Public State of Wisconsin

My Commission expires:

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